

1 SENATE BILL 279

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Peter Wirth

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10 AN ACT

11 RELATING TO DOMESTIC VIOLENCE SHELTERS; CLARIFYING THAT
12 REQUIRING A LAW ENFORCEMENT OFFICER TO SHOW A VALID SEARCH
13 WARRANT BEFORE ALLOWING ENTRANCE INTO A DOMESTIC VIOLENCE
14 SHELTER DOES NOT CONSTITUTE THE CRIME OF RESISTING OR
15 OBSTRUCTING AN OFFICER OR HARBORING A FELON.

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17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

18 Section 1. ENTRY INTO DOMESTIC VIOLENCE SAFE HOUSE OR
19 SHELTER--SEARCH WARRANT.--

20 A. It is not a violation of Section 30-22-1 or
21 Section 30-22-4 NMSA 1978 for a person who is a member,
22 resident, employee or volunteer of or is otherwise associated
23 with a domestic violence safe house or shelter to require a law
24 enforcement officer to show a valid search warrant before
25 allowing the officer to enter the domestic violence safe house

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1 or shelter.

2 B. Prior to attempting to serve an arrest warrant
3 within a domestic violence safe house or shelter, a law
4 enforcement officer shall obtain a valid search warrant, unless
5 exigent circumstances exist necessitating immediate entry.

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